

CRM-M-53445-2021

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-53445-2021 (O & M)

Date of Decision: 21.04.2022

Mayank Pujari

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Arun Luthra, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.30 dated 21.01.2021 registered under Sections 406 and 420 IPC and Sections 467, 468, 471, 201, 120-B and 384 IPC (added subsequently) and Section 69-D of the Information Technology Act, at Police Station City Thanesar, District Kurukshetra.

Copy of the reply dated 29.03.2022, by way of affidavit of the Deputy Superintendent of Police (Headquarters) filed in the Registry, is taken on record.

As per the case of the prosecution, the accused used to call job seekers; offer them assignments, then find fault in the execution of their work and then under threat of litigation extort money from them.

Learned counsel for the petitioner submits that the petitioner,

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who is a 22 years old boy, has falsely been implicated in the present case and that the petitioner has been in custody since 13.07.2021. Learned counsel further contends that the petitioner was not named in the FIR and rather has been indicted on the disclosure statement of the co-accused; that the petitioner had not played any role in the alleged fraud played upon the daughter of the complainant and that as per the alleged disclosure statement of co-accused, Shubham, the entire amount used to be deposited in his bank account.

Learned counsel for the petitioner further contends that charges stand framed and, therefore, neither is the petitioner wanted for the investigation nor can he influence it; that no further recovery is required to be made from the petitioner; that only an amount of Rs.5,000/- had allegedly been recovered from the petitioner. Moreover, co-accused, namely, Heena Ram Khayani stand enlarged on bail by a Coordinate Bench, vide order dated 25.11.2021 passed in CRM-M-45528-2021.

On the other hand, learned State counsel, while opposing the prayer for the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused defrauded innocent job seekers.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR. He has been indicted on the disclosure statement of the co-accused. The petitioner has been in custody since 13.07.2021. The charges have been framed. The prosecution witnesses are yet to be examined. There is no other case registered or pending against the petitioner. The trial of the case would take time to

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conclude. As noticed above, the co-accused stand enlarged on bail by the Coordinate Bench. Therefore, no useful purpose would be served by keeping him behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

21.04.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No